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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

Solomon Islands

[2 July 2001]

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I. INTRODUCTION

A. Background

1. On 17 March 1982, Solomon Islands acceded to the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as "the Covenant"). This initial report, submitted in accordance with articles 16 and 17 of the Covenant, highlights some measures Solomon Islands has been able to take to protect the economic, social and cultural rights recognized in the Covenant.

2. The report has been prepared and produced with the assistance of the United Nations Development Programme through the Monitoring and Planning for Vulnerable Groups Project at the Ministry of National Planning and Human Resources Development.

B. Country profile

1. Land

3. Solomon Islands, an archipelago scattered over 800,000 square kilometres of sea, lies between longitudes 155 and 170 degrees East and latitudes 5 to 12 degrees South. Solomon Islands is part of what is known in the South Pacific as "The Melanesian Triangle".[1]

4. The country is made up of six large islands, namely Choiseul, New Georgia, Santa Isabel, Guadalcanal, Malaita and Makira, numerous small islands and islets as well as atolls. The landmass is about 28,369 square kilometres. The capital, Honiara, is located on the island of Guadalcanal.

2. People

5. Solomon Islands is home to people of many races and cultures. The predominant race is Melanesian, followed by Polynesian and Micronesian. The majority of indigenous Solomon Islanders profess Christianity.

6. The 1986 census recorded a population of 285,176, an increase of 88,353 over the 1976 total population, with an annual population growth rate of 3.5 per cent. The 1999 Population and Housing Census[2] recorded a total population of 409,042, implying an increase of 43 per cent since 1986. This corresponds to an annual growth rate of 2.8 per cent, a substantial decline but still one of the highest in the world. Given that 41.5 per cent of the total population is under 15 years of age, it can be expected that in the coming decades Solomon Islands will continue to experience a high rate of population growth. Data on the natural increase of population are not available.

7. The fertility rate has declined from 7.3 in 1970 to 6.1 in 1986. The infant mortality rates have improved from 46/1,000 in 1976 to 38/1,000 in 1986. The 1999 data on infant mortality, crude birth and death rates are not yet available.

3. Settlement pattern

8. The majority of the people live in rural areas. About 80 per cent of the total population derive and sustain their livelihood from the subsistence mode of production.

9. The population is unevenly distributed amongst islands, as well as within each of the islands. In 1999, for instance, Western Province and Guadalcanal Province, which have similar land areas, had total populations of 62,739 and 60,279 respectively. Isabel and Malaita provinces, with similar land area, had populations of 20,421 and 122,620 respectively. The overall population density in 1986 was 10 persons per square kilometre. In 1999 it was 15 persons per square kilometre.

10. The 1999 census recorded that the total population of 409,042 was distributed over 65,014 households. Data on the number of villages are not yet available. The 1996 Village Resources Survey recorded 4,174 villages and 52,404 households. Three provinces, Malaita, Guadalcanal and Western, had 68 per cent of the rural population. Approximately half of the villages were situated on the coast. Fifteen per cent were within a 15-minute walk from the coast. The rest were "bush-villages" with no direct road access to the sea. The modal village population was 20 to 49 persons, with only 3 villages consisting of more than 1,000 inhabitants.

4. Political system

11. Solomon Islands gained political independence from Great Britain in 1978. It is a sovereign State with a unicameral legislature, the National Parliament. National Parliament has 50 members, all elected by universal suffrage. The country is administratively divided into nine provinces. Each province has its own elected government. Area Councils were part of the provincial government system until 1999 when they were abolished. The structure resembles a federal system of government.

12. National parliamentarians are elected either on a political party basis or as independent candidates. The term of office is four years. The Prime Minister, a parliamentarian, is elected by Parliament. In the 1997 general election only 1 of the 14 female candidates was elected.

13. The Governor General, representing the British Monarch as Head of State, is elected by National Parliament for a five-year term of office. Solomon Islands is a member of the Commonwealth.

5. Infrastructure

14. The infrastructure is inadequately developed. Guadalcanal Island has 80 per cent of the port facilities and 40 per cent of the roads. At the most only 12 per cent of rural villages has access to motor roads accessible by car or truck.[3] Most of these are on the islands of Guadalcanal and Malaita.

15. Solomon Islands has an international airport and 20 domestic airfields. Each province has at least one airfield. Western Province has the largest number of airfields followed by Guadalcanal, Makira and Malaita Provinces with three each.

6. The economy

16. The economy of Solomon Islands is dualistic. Its large rural subsistence sector provides the main livelihood for some 80 per cent of the population. The country exports primary commodities, mainly logs, fish, palm oil and copra. Mining for gold started in 1997. Exploration for gold and other minerals is continuing. The export of palm oil ceased in June 1999 with the closure of Solomon Islands Plantation Limited due to the militant activities of the Isatabu Freedom Fighters (IFM) on the Island of Guadalcanal. The Gold Ridge Mine and Solomon Taiyo, the major fishing company, suspended operations in June and July 2000 due to increased militant activities by the IFM and the emergence of the Malaita Eagle Force (MEF).

17. The per capita gross national product (GNP) in 1996 was estimated at US$ 960. During the late 1990s the gross domestic product (GDP) increased by about 2.3 per cent annually. Solomon Islands is 125th in the Low Human Development category using the UNDP Human Development Index.[4] With such a large proportion of the Solomon Islands population relying on subsistence production, there is a disparity between rural and urban incomes.

18. The data for 1993[5] showed that the average monthly income of a rural household was $620 compared with $1,444 for a Solomon Islander household in Honiara. Even in Honiara income distribution is unequal with only 10 per cent of Solomon Islander households receiving 52 per cent of the total income. Details of the distribution of income in the rural areas, provincial centres and Honiara are given in paragraphs 160 to 162 of this report.

19. The primary goal of successive Governments has been to improve the welfare of Solomon Islanders. This has not been achieved due to inadequate transparency and accountability.

20. To achieve the objectives Governments, with the assistance of bilateral and multilateral development partners, established certain policies. The Solomon Islands Alliance for Change (SIAC) Government formed in 1997 stood out as the most economic reform-minded Government since political independence. Some of its macroeconomic policy goals for the period 1997-2001 were to: (a) redirect and redeploy resources from the public sector to the private sector; (b) provide a stable economy that ensures low inflation and an increased rate of employment; (c) encourage private investment, both local and foreign, through the provision of a coherent policy framework and consistent decision-making; (d) ensure the sustainable harvesting of the country's forest, marine, mineral and agricultural resources that yield increased benefits to the resource owners and the Government.

21. The SIAC Government did not achieve its goals because it was replaced in June 2000 by the Government of National Unity, Reconciliation and Peace (NURP). The prime focus of the present Government is the restoration of law and order and peace in the country.

II. SPECIFIC ACTIONS TAKEN IN RELATION TO THE RIGHTS RECOGNIZED IN THE COVENANT

Article 1. Implementation of the right to self-determination

22. Solomon Islands recognizes that self-determination is a fundamental human right. The country exercised this right to self-determination through peaceful negotiations with Great Britain leading to political independence in 1978. In conformity with this doctrine, Solomon Islands supports all international efforts to put an end to all colonial or foreign rule. Solomon Islands, a member of the Melanesian Spearhead Group, morally supports the demand of the Melanesians of the French territory of New Caledonia in the South Pacific to be granted autonomy and eventually political independence.

23. Within the country, the Constitution, as well as other laws, guarantee the rights and freedoms. The rule of law is the basis of government. The independence and immunity of the judiciary and the State's subordination to the law constitute two basic guarantees of the protection of rights and freedoms.

24. The people of Solomon Islands elect their political representatives to the National Parliament and Provincial Assemblies (and Area Councils until they were abolished in 1998). Through these constitutional institutions the people are able to freely express their opinions and ideas and exercise self-determination by participating in the process of making and monitoring the implementation of decisions in all political, economic, social and cultural spheres.

Article 2. Rights recognized in the Covenant

25. The rights recognized in the Covenant constitute an integral part of the fundamental rights and freedoms of the individual in Solomon Islands. These rights are contained in chapter 2 of the Solomon Islands Constitution, the Solomon Islands National Provident Fund (NPF) Act 1973, the Employment Act 1981, the Labour Act 1982, the Workmen's Compensation Act 1982, and the Safety at Work Act 1982, as well as the Penal Code. The fulfilment of these obligations, especially in the social sector, obviously depends on the economic development of the country and the extent of the available resources.

26. Solomon Islands has no right to work legislation. It would be unwise to have such a law when the formal economy cannot absorb the ever-increasing labour force. It is pointed out elsewhere in this report that formal wage employment is not as yet a necessity in Solomon Islands. The 1999 Population and Household Census recorded 111,905 people, or 45 per cent of the population aged 14 and above, involved in unpaid work.

27. The right to just and favourable conditions of work is provided for under the Labour Act 1982 and Safety at Work Act 1981. The Labour Act makes provision for the revision of the minimum wage (sect. 30 (1), (2)), the number of working hours and days (sect. 13), holidays (sect. 80) and sanitation and water, housing, medical care and treatment (sects. 67-70 inclusive).

28. The Constitution guarantees freedom of assembly and association. It permits persons to associate freely to form or to belong to trade unions or associations to protect their interests (sect. 13). The Trade Unions Act 1970 permits workers to form unions and associations (sect. 60 (1),(2)).

29. The NPF is a compulsory social security scheme in Solomon Islands. Contributors to the NPF and those who take up insurance with the private insurers are eligible for various benefits. The NPF provides old age benefits to its members.

30. Workers are eligible for invalidity benefits under the NPF Act 1973, the Employment Act 1981 and the Workmen's Compensation Act 1982. The Employment Act provides for Employer Liability Insurance for workers (sect. 20). The Workmen's Compensation Act sets out the amount of compensation to be paid (sects. 6, 7, 8, 10).

31. Unemployment benefits are available, but only to workers who have contributed to the NPF and those who have been retrenched. Workers may withdraw portions of their contributions if they are not re-employed within a certain period of time. Redundancy payment is available under the Employment Act for those eligible (sects. 2 and 3).

32. Survivors' benefits are provided for by the NPF Act and the Workmen's Compensation Act.

Equality and non-discrimination

33. Equality and non-discrimination are among the most important principles embodied in chapter 2 of the Solomon Islands Constitution.* Non-nationals are equal before the law without regard to their origin, social status, nationality, sex, education, language, religion or political opinion.

34. Non-nationals have the right to health care, education equal to that offered to citizens, use their native languages, preserve and promote their national cultures and traditions and to freedom of religion, and participate in non-political associations. They have the same rights as citizens in all matrimonial and family matters. They are permitted to exercise intellectual property rights over their academic works, artistic creations and inventions.

Denial of certain rights

35. The Constitution denies certain rights to non-nationals. Only citizens are eligible to contest and vote in elections. Non-nationals and citizens who are not indigenous Solomon Islanders do not have the right to hold or acquire perpetual title in land (Constitution, sect. 110).

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* Available for consultation in the files of the secretariat.

36. The right to hold or acquire perpetual title to land is vested in Solomon Islanders as defined in the Land and Titles Act. A Solomon Islander is a person born in Solomon Islands who has two grandparents who were members of a group, tribe or line indigenous to Solomon Islands (Land and Titles Act 1969, sect. 2). National Parliament is empowered by the Constitution to prescribe what other person or persons may hold or acquire perpetual title to land (sect. 110).

37. Foreign nationals are required to obtain work permits to be employed or self-employed in Solomon Islands. Any person employing an immigrant or non-indigenous worker without a work permit is guilty of an offence and liable to a fine of SI$ 1,000 (Labour Act, sect. 37).

38. Foreigners may be exempted from contributing to the NPF. The NPF Board may exempt a worker if that worker is on a contract entered into outside Solomon Islands and employed by an employer whose principal registered office is outside Solomon Islands. The NPF Board may also exempt an employee who is contributing to a social security scheme in another country or who will be entitled to comparable benefits under a scheme associated with his employment and the employee is not a resident of Solomon Islands (sect. 27).

39. The Minister responsible for the NPF is also empowered to exempt any person or class of persons from all or any of the provisions of the Act after consultation with the NPF Board (sect. 50). This could include non-citizens.

Participation in development cooperation

40. Solomon Islands actively participates in development cooperation. Aid received is spent on areas covering the economic, social and cultural rights. The terms and conditions of aid are always laid down by the donors and as such the opportunity to divert aid to other areas is very limited.

Article 6. Right to work

41. Solomon Islands acceded to the International Convention on the Elimination of All Forms of Racial Discrimination in 1982 but is not party to the:

International Labour Organization (ILO) Employment Policy Convention, 1964 (No. 122);

ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111);

Convention on the Elimination of All Forms of Discrimination against Women.

42. No report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination is known to have been sent to the appropriate supervisory committee.

43. Formal wage employment is not as yet absolutely necessary for survival in Solomon Islands. This is clearly illustrated by the fact that the largest proportion of the population still derive their livelihood from subsistence production. In the 1986 census, for instance, it was found that around 71 per cent of the economically active population (133,498) was engaged in "no-money-earning" activities. In 1999 45 per cent (111,905) of the population aged 14 years and over were involved in unpaid work. Only 23 per cent were engaged exclusively in formal wage employment. The number engaged in both wage-earning work and subsistence production is not known.

44. In 1998, over 34,000 persons were employed by registered establishments in the formal sector. Approximately 45 per cent were employed in the service sector (public service, finance, trade), nearly 22 per cent in the primary sector (agriculture, fisheries, forestry) and 16 per cent in manufacturing and construction. The private sector accounted for just under 70 per cent of the total wage employment. The following table provides employment figures, by industry, for 1982-1998.

45. Employment growth was not uniform across all sectors. The annual growth rate was 6 per cent for financial services and trade, forestry and fisheries 5 per cent and manufacturing 4 per cent. Employment in the public sector declined from just over 34 per cent in 1993 to just over 30 per cent in 1998. Central and provincial government employment declined from about 38 per cent in 1992 to just under 28 per cent in 1998.

46. The number of persons engaged in formal wage employment declined further in 1999 with the retrenchment of public officers and employees of Solomon Islands Plantations Limited. In June and July 2000 many workers from the public and private sectors had to go on unpaid leave. The closure of Solomon Islands Plantation Limited and the suspension of operations by Gold Ridge Mine and Solomon Taiyo were due to the hostile activities of the Isatabu Freedom Movement (IFM) and the emergence of the Malaita Eagle Force (MEF). It is not known how many of the redundant workers have found new wage employment.

Table 1. Employment by industry 1982-1998

Month Year	Industry/ agriculture	Forestry/ logging	Fishing	Manufacture	Electricity and Water	Construction	Trading	Transportation/ Communications	Finance	Administration	Other services	Total
June 1982	4 408	1 798	961	1 831	222	1 395	2 122	1 795	446	2 272	3 597	20 847
June 1983	4 414	1 646	962	1 846	248	1 327	2 081	1 925	418	2 207	4 022	21 132
June 1984	4 961	1 534	1 118	1 845	323	1 487	2 285	2 182	537	2 224	4 192	22 688
June 1985	5 229	1 570	1 240	1 815	315	1 466	2 566	2 149	525	2 353	4 768	23 996
June 1986	5 176	1 973	1 262	1 872	328	1 385	2 491	1 888	604	2 345	4 702	24 026
June 1987	3 879	1 448	1 281	2 257	307	1 084	2 696	1 251	693	3 556	5 338	23 790
June 1988	4 105	1 643	1 218	2 312	297	1 240	2 396	1 477	699	3 367	6 091	24 845
June 1989	4 220	1 906	1 405	2 286	296	1 355	2 714	1 450	755	3 164	5 887	25 438
June 1990	3 928	2 159	1 449	2 285	294	1 384	2 637	1 348	866	4 027	5 745	26 122
June 1991	3 877	2 356	1 471	2 113	341	1 071	2 849	1 580	781	3 290	6 902	26 631
June 1992	4 097	1 161	1 097	2 040	386	1 109	3 201	1 418	1 195	4 273	6 865	26 842
June 1993	3 330	2 376	2 400	2 844	245	977	3 390	1 723	1 144	4 303	6 845	29 577
June 1994	3 523	3 399	1 733	3 766	307	907	3 732	1 852	1 131	4 377	7 792	32 519
June 1995	3 388	3 469	1 770	4 122	325	1 053	3 884	1 683	1 240	4 373	7 796	33 103
June 1996	3 418	3 655	1 803	4 179	326	1 053	4 205	1 698	1 51[illegible]	5 672	6 574	34 098
June 1997	3 393	3 001	1 677	4 098	329	1 367	4 210	1 672	1 393	3 937	8 273	33 349
June 1998	3 356	2 658	1 412	4 348	387	1 187	4 641	1 878	1 183	4 261	8 750	34 061

Notes: (1) Other services include education, medical and other services.
(2) Trading includes retailing, wholesaling, restaurants, hotels, etc.
(3) Manufacturing includes mining and quarrying.

Source: Solomon Islands Statistics Office, Department of Finance. A report on the 1998 Labour Market Survey of the Solomon Islands

47. The number of women in formal employment has increased from 19 per cent in 1988 to just under 23 per cent in 1993 and almost 24 per cent in 1998:

Table 2. Employment by gender, 1988, 1993, 1998

Year	Male		Female		Total	
	No. of employees	Percentage total	No. of employees	Percentage total	No. of employees	Percentage total
1988	19 524	80.9	4 613	19.1	24 137	100
1993	22 306	77.7	6 556	22.8	28 718	100
1998	26 976	76.3	8 085	23.7	34 061	100

Source: Solomon Islands Statistics Office, 2000; Employment 1998, A report on the 1998 Labour Market Survey of Solomon Islands.

48. The greatest proportion of women work in the social sector, with about 31 per cent in teaching and 61 per cent in nursing. Very few women (1 per cent) are employed in managerial positions within the public service. Proportionately fewer women are employed in the private sector compared to the public service.

49. There are indications that unemployment and underemployment exist. Each year some 7,000 school leavers (basically unskilled) enter the job market, but the economy is estimated to create approximately only 500 new jobs a year. This number increases annually. The 1999 Solomon Islands Population and Housing Census recorded 28,000 persons (18,000 males and 10,000 females) seeking paid employment. Over the next decade the number of young people entering the labour market will be close to 100,000.

50. The Government realizes that any increase in formal wage employment will have to be created by the private sector. In this connection steps have been taken to streamline the procedures and processes for the consideration and approval of foreign investment. The Income Tax Act was amended in 1999 to provide further incentives to the private sector.

51. The people are free to choose the type of employment they enter. There is no known case of forced labour in Solomon Islands. The Constitution guarantees protection from slavery and forced labour (Sect. 6 (1) and (2)). Persons selected for employment are chosen on merit or the choice is based on suitability for the particular job. The question of race, colour, sex, religion, political opinion or social origin is not known to have officially affected the equality of opportunity of employment.

52. Vocational and technical training programmes exist in Solomon Islands. Vocational courses include training for women in the informal sector and the retraining of redundant public officers. The Small Business Centre in Honiara offers short courses for persons intending to start their own businesses. The Development Bank of Solomon Islands also runs short courses for its clients and anyone wanting to start income generating activities.

53. The Honiara City Council occasionally runs courses on food preparation for women involved in the informal sector and a private company selling chicken feed to poultry farmers has begun courses for its clients.

54. In addition, Rural Training Centres provide vocational training in 14 courses ranging from Home Economics to Mechanics:

Table 3. Types of courses offered in vocational training centres

Field	Course
Home Economics	Business studies, budgeting, bookkeeping and marketing. Family budgeting, financial management
Agriculture	Vegetable growing, cattle management, poultry, piggery, beekeeping, soil management, fencing and pasture improvement, animal food production, rice growing and other crops, integrated farming
Mechanics	Welding, maintenance repairs of chainsaws, sawmills, generators, basic motor maintenance
Electrical	Wiring (basic)
Manufacturing	Soap and perfumed oil production, peanut butter production, honey production, animal food production, furniture production, coconut oil production, rice production, clothes and crafts manufacture
Forestry	Timber felling, timber cutting, saw milling, timber grading, forest conservation
English	Basic and applied English
Maths	Basic and applied Maths
Fisheries	Deep sea fishing, net fishing, net making, net mending, fishing techniques
Cultural Studies	Mat weaving, grass skirt making, traditional customs, integrating cultural studies with Home Economics, music and dancing
Health	Home hygiene, environmental hygiene, sanitation and sewerage, plumbing, integrated Home Economics and health, village water management
Literacy	Outreach Programme: vernacular reading and writing; pidgin reading and writing
Christian Education	Bible studies and other studies in relation to Christian doctrines
Typing	Typing, computing and secretarial work

55. There are rare cases of workers holding more than one full-time job, but the actual number is unknown. There are, however, a number of full-time and part-time workers in urban areas, especially in Honiara, who operate businesses after working hours to meet the needs of their families. In 1995 there were 1,943 recorded part-time workers. Of these just over 21 per cent were females.

Article 7. Right to just and favourable conditions of work

56. Solomon Islands acceded to the Weekly Rest (Industry) Convention, 1921 (No.14) and the Labour Inspection Convention, 1947 (No. 81) in August 1985 but is not party to the other ILO Conventions listed below. The labour laws of the country, however, incorporate provisions of all the conventions:

Minimum Wage-Fixing Convention, 1970 (No. 131);[6]

Equal Remuneration Convention, 1951 (No. 100);

Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106);

Holidays with Pay Convention (Revised), 1970 (No. 132);

Labour Inspection (Agriculture) Convention, 1969 (No. 129);

Occupational Safety and Health Convention, 1981 (No. 155).

57. No reports on the implementation of the Weekly Rest (Industry) Convention, 1921 (No. 14) and the Labour Inspection Convention, 1947 (No. 81) are known to have been sent to the appropriate ILO Committees of Experts.

Minimum wage system established

58. The system of minimum wage has been in place in Solomon Islands since the days of the British colonial administration. The Minister responsible for employment is empowered under the Labour Act 1982 (sect. 30 (1), (2)) to fix the minimum wage for workers in any occupation, class or grade of occupation. The wording of this section of the Act means that the Minister may award the minimum wage to some categories of workers but not to others. The current system of minimum wage covers only some categories of workers employed in urban and peri-urban areas. Groups legally excluded from the minimum wage are discussed in paragraph 60 of this report.

Determination of groups of wage earners

59. Solomon Islands has no independent authority to determine the different wage groups. This is the task of the Labour Division in the Department of Commerce, Employment and Labour.

Workers outside legal minimum wage

60. Workers employed in rural areas in industries such as mines, plantations and logging/forestry are excluded from the legal minimum wage. Urban workers such as domestic servants and shopkeepers also fall outside the legal minimum wage. All casual workers and apprentices, whether employed in urban or rural areas, also remain outside the legal minimum wage system.

Exceptions to minimum wage

61. An infirm or disabled person employed may be paid less than the minimum wage if the Commissioner of Labour issues a permit of exemption. In such a case the Commissioner specifies the minimum wage (sect. 36 (1)).

Mechanism for monitoring employer compliance

62. There is no mechanism in place to monitor employer compliance with the legal minimum wage. The Department of Commerce, Employment and Labour is not in a position to perform a monitoring role due to financial constraints and inadequate appropriate manpower. Staff retrenchments and the abolition of vacancies in the Labour Division since 1999 have only exacerbated the problems of the Department.

63. Trade union organizations do monitor employer compliance on behalf of their members. Generally, non-unionized labour do not know their rights and in some instances where they do, they do not know who to turn to for assistance in the event of an employer breaching the law.

Minimum wage has force of law

64. The minimum wage has the force of the law. An employer failing to pay a worker the minimum wage will, on conviction, pay a fine of SI$ 500 and a further SI$ 20 each day the offence is continued (Labour Act, sect. 31 (1)).

65. A court may order an employer convicted of failing to pay the minimum wage to pay, in addition to any fine, any arrears due to the employee (sect. 31 (2)). The Commissioner of Labour may, under Section 32 (2), take legal proceedings on behalf of an underpaid worker to recover any wages due to such a worker.

66. However, with no compliance monitoring mechanism in place and workers not knowing whether or not they are covered by the legal minimum wage, enforcement of the law is far from satisfactory. A Labour Officer touring some rural-based workers in 1992 found that many workers covered by the legal minimum wage were not aware that they were being underpaid.

Determination of level of minimum wage

67. The determination of the minimum wage is made by the Minimum Wage Board, an administrative body consisting of trade union, employer and government representatives. The Minimum Wage Board takes into account the basic commodities thought important for the workers and their families when considering the minimum wage. The minimum wage recommended to the Minister for Labour is that believed to be the living wage for the workers and their families. The most important factor influencing the determination of the minimum wage is affordability. Wage settlements in the private sector are generally made at company level but in reference to public sector wage settlements.

Machinery for fixing, monitoring and adjusting minimum wage

68. The Minister of Labour and Employment fixes the minimum wage on the advice of the Minimum Wage Board. There is no system in place to monitor and ensure that employers pay their workers the minimum wage. Any adjustment of the minimum wage is dependent on the Department of Commerce, Employment and Labour. The Department decides when the minimum wage will be reviewed. The Minimum Wage Board only meets to review the minimum wage at the request of the Department. With this sort of arrangement, review of the minimum wage in Solomon Islands is irregular.

Number of workers covered by minimum wage

69. In 1997, the number of workers covered by the minimum wage was: agriculture - 3,809, fisheries - 2,579 and other - 20,020. The current hourly minimum wage is SI$ 1.20 in the fishing industry and agricultural plantations and SI$ 1.50 elsewhere. Prior to 1997, the hourly minimum wage for all categories of workers was SI$ 0.74.

Equal remuneration

70. There is no known case of unequal pay for work of equal value. Conditions of work for men and women in the same occupation are the same. Any difference in pay is based either on qualification, skills or work performance.

71. The Labour Market Survey in 1998 revealed that the public sector wages were nearly twice the rate paid in the private sector. The total monthly average wage in the private sector was SI$ 770 compared with SI$ 1,120 in the public sector. In both sectors male employees generally earned more than females as can be seen from table 3.

Occupational safety and health

72. Provisions relating to the safety and health of workers are contained in the Safety at Work Act 1982 in sections 4, 8, 9, 16, and 17 to 22.* The law covers all workers.

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* Available for consultation in the files of the Secretariat.

Table 3. Average monthly wage (in SI$) of full-time workers by occupation group, employment sector and gender

Occupation	Sector											
	Private sector			Statutory authority			Provincial government			Central Government		
	M	F	T	M	F	T	M	F	T	M	F	T
Managers	3 225	2 663	3 124	2 996	2 531	2 967	891	905	894	4 567	2 932	4 349
Professionals	2 232	1 707	2 145	2 559	2 085	2 470	1 603	845	1 495	1 308	1 116	1 244
Technicians	1 266	1 525	1 315	1 873	2 029	1 912	676	647	671	2 041	1 712	1 992
Clerks	987	963	976	1 373	1 614	1 449	741	544	651	1 357	1 658	1 546
Services workers	516	467	495	822	528	805	474	410	446	1 340	1 262	1 335
Skilled agricultural workers	658	391	655	-	-	-	491	441	479	1 299	-	1 299
Crafts and related workers	705	444	687	1 170	-	1 170	765	392	731	1 312	1 398	1 317
Plant and machine operators	626	651	640	852	-	852	496	333	494	1 263	-	1 263
Elementary occupations	387	312	366	922	697	877	383	316	375	-	-	-
Grand total	**807**	**654**	**770**	**1 562**	**1 654**	**1 578**	**587**	**505**	**570**	**1 493**	**1 190**	**1 411**

Source: Statistics Office 2000; Employment 1998, A report on the 1998 Labour Market Survey of Solomon Islands.

Occupational accidents

73. For the five-year period 1994-1998 the Department of Commerce, Employment and Labour recorded 816 occupational accidents. Logging/sawmilling had the highest number of accidents with slightly over 30 per cent, followed by forestry and agriculture with 13 and 10 per cent respectively. The principal causes of accidents were sharp objects (19 per cent) followed by falling objects (14 per cent) and power-driven machinery (13 per cent).

74. Of the 816 accidents, 29 (35 per cent) were fatal. Forty-eight per cent of the fatal cases occurred in logging/sawmilling. The principal causes of fatal accidents were falling objects (10 per cent) followed by sharp objects and transport/shipping each with 8 per cent Table 4 shows the number of occupational accidents by industry and cause, for 1994-1998.

Table 4. Occupational accidents by industry and cause 1994-1998

Industry	1994	1995	1996	1997	1998	Total
Agriculture	9 (1)	22	18	19	17 (1)	85 (2)
Forestry	25	28	17	16	20	106
Mining/quarrying	-	-	-	1	8	9
Logging/sawmilling	49 (5)	55 (2)	62 (1)	46 (1)	38 (5)	250 (14)
Stevedoring	2	6 (12)	3	1	2	14 (2)
Manufacturing	7 (1)	10	11 (1)	5	10 (1)	43 (3)
Fishing/canning	6	11	11 (1)	10	5 (1)	43 (2)
Construction	13 (1)	22	8	14 (1)	8 (1)	65 (3)
Electricity/gas/water	3	1	3	4	4	15
Hotel/restaurant	4 (1)	5	3	3	2	17 (1)
Commerce	2	8	4	9	3	26
Transport/shipping	3	10	5	6	13 (1)	37 (1)
Government service	16	8	14	11	14 (1)	63 (1)
Engineering/workshop	-	2	13	7	3	25
Other	7	2	1	2	6	18
Total	**146 (9)**	**190 (4)**	**173 (3)**	**154 (2)**	**153 (11)**	**816 (29)**
Cause						
Power-driven machinery	20	37	21	22	13	113
Fall of person	10	20	14	23	17	84
Caught in or between objects	0	7	-	11	11	29
Transport/shipping	25 (4)	16	25	15 (1)	17 (2)	98 (7)
Sharp objects	19	34 (3)	44 (1)	31	28 (3)	156 (7)
Falling objects	19 (4)	33 (1)	20	18 (1)	27 (2)	117 (8)
Hand tools (use of)	19	19	19 (2)	15	11	83 (2)

Industry	1994	1995	1996	1997	1998	Total
Electricity (due to)	1	0	3	2	0	6
Poisoning/gassing/ chemical	2	0	6	0	4	12
Explosion/fire	9 (1)	5	4	1	3	27 (1)
Exposure to harmful substance	0	3	0	2	2	7
Noise	0	1	0	0	0	1
Incorrect lifting techniques	0	-	0	0	2	2
Injury due to personal attack	4	1	5	0	4 (1)	14 (1)
Injury due to thorns	5	0	0	0	0	5
Occupational disease	13	12	12	14	9 (1)	60 (1)
Other	-	2			5 (2)	7 (2)
Total	**146 (9)**	**190 (4)**	**173 (3)**	**154 (2)**	**153 (11)**	**816 (29)**

Source: Labour Division, Department of Commerce, Employment and Labour.

Note: Fatal cases in brackets ( ).

Equal opportunity for promotion

75. The principle of equal opportunity for promotion is officially accepted in Solomon Islands. Vacancies are either advertised internally or in the broadcast or print media. Promotions are generally based on merit.

Weekly rest

76. Section 13 of the Labour Act lays down the number of days and hours a worker may work. Under normal circumstances an employee would not work more than 6 days a week, 45 hours a week and 9 hours daily. The total number of hours of work (including overtime) may be exceeded with the consent of the Commissioner of Labour provided the additional time does not exceed 57 hours in any one week or 228 hours in any calendar month. No worker is required to work on public holidays and customary rest days (Saturdays and Sundays) unless provided for in his/her contract of employment. Shift workers and those covered by the Essential Services Act are excluded. Workers get at least 30 minutes' break for the midday meal.

Additional remuneration for overtime worked

77. Any worker required to work in excess of normal working hours (excluding shift workers and workers covered by the Essential Services Act) is entitled to additional remuneration. The overtime rates are 1.5 times the regular hourly rate for Saturdays and Sundays and 2 times the regular hourly rate for gazetted public holidays.

Holidays and sick leave

78. An employer is required to provide paid holidays and sick leave to an employee under certain conditions (Labour Act, sect. 80).

79. The employer is bound by law to give each worker at least 1.25 working days for each complete calendar month of employment. The worker has to be paid the full remuneration for the period of annual leave.

80. The employer is required to pay the cost of return journeys of the worker, his/her spouse and a maximum of four dependent children aged under 18 years from the place of employment to the worker's home. Home is defined in the Holidays, Sick Leave and Passage Rules as the village in Solomon Islands regarded in custom as the worker's place of origin.

81. Generally, employers grant their workers compassionate leave which is deducted from the worker's annual leave.

82. A worker employed continuously for at least 26 weeks and who is absent from work due to sickness is entitled to be paid for the period of absence not exceeding 22 working days in any calendar year. A medical practitioner must certify that the absence is necessary. Any paid leave beyond the mandatory period is at the discretion of the employer.

Workers not entitled to sick leave pay

83. A worker who is absent from work due to a personal injury sustained in the course of his/her employment would not be entitled to sick leave pay if the employer is liable to pay compensation to that worker under the Workmen's Compensation Act.

Care of workers

84. The law requires the employer to provide water, housing and medical care and treatment for his/her workers. Where no public water supply is readily available the employer, at his/her own expense, must provide water for drinking, washing and other domestic purposes to workers and their dependants living on the property. The employer must also make sufficient and proper sanitary arrangements (Labour Act, sects. 67 and 68).

Housing

85. If a worker cannot return home after work daily the employer must adequately and properly house the worker and his/her dependants. If no housing is provided the employer must pay a housing allowance. The employer may charge rent for the housing provided but the rate must not exceed the rate approved by the Commissioner of Labour (Labour Act, sect. 69).

Medical treatment

86. At the place of employment, the employer is required to provide medical treatment, first-aid equipment, and appliances to transport sick or injured workers (Labour Act, sect. 70).

87. Depending on the situation of the place of employment and the number of workers, the Commissioner of Labour may require an employer to maintain at his/her own expense a hospital to serve workers. Where such a requirement is made, the employer must maintain a properly equipped sickroom and a separate building properly equipped as a hospital. Each facility must have accommodation for not less then 10 per cent of the workers (Labour Act, sect. 71).

Article 8. Trade union rights

88. Solomon Islands is not party to the following:

International Covenant on Civil and Political Rights;

ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);

ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98); or

ILO Labour Relations (Public Service) Convention 1978 (No. 151).

89. Trade union rights in Solomon Islands are guaranteed under the Constitution and The Trade Unions Act 1970. The country has been party to the Right of Association (Agriculture) Convention, 1921 (No. 11) since August 1985.

90. Under the Constitution any person is free to associate with others to form trade unions or associations to protect his/her interests (sect. 13). Section 60 (1) of the Trade Unions Act states, "No employer shall make it a condition of employment of any employee that such employee shall neither be nor become a member of any or a particular trade union or other organization representing employees in any trade or industry". Subsection 2 states, "... nothing contained in any law shall prohibit any employee from being or becoming a member of any trade union or subject him to any penalty by reason of his membership of such trade union". Any group of workers numbering more than six may form a trade union if their object is to regulate the relations between them and their employer (sect. 2 (1) (b)).

Control of trade unions

91. The Constitution (sect. 13) and the Trade Union Act (sects. 2 (1) (b), 60 (1) (2)) provide for the formation of trade unions. The Trade Union Act also empowers the Registrar to suspend or cancel the registration of a trade union for breaches of provisions of the Act or its regulations.

92. Appeals against the Registrar's decision are catered for in section 15 of the Act.

Cancellation or suspension of registration of a union

93. Section 13 of the Act provides the grounds upon which the Registrar may refuse to register a trade union, while section 14 spells out reasons which may lead to the suspension or cancellation of its registration. The principal reasons for the suspension or deregistration of a union are :

(a) Registration was obtained by fraud, misrepresentation or mistake;

(b) The union wilfully contravenes provisions of the Act after being officially warned by the Registrar, or its officers wilfully fail to comply with provisions of the Act;

(c) The union's accounts are not kept in accordance with the Act or union funds are used in an unlawful manner;

(d) The union is used for unlawful purposes or purposes inconsistent with its objects and rules;

(e) The union has ceased to exist.

Amalgamation of unions

94. Registered trade unions are not permitted to amalgamate as one union without the approval of the Registrar (sect. 42). Employees of the Crown (public service workers) are prohibited from joining private sector unions.

95. Trade unions in Solomon Islands are employment based. Membership is voluntary and in some cases free. Only workers normally employed and resident in Solomon Islands can be voting members of a trade union. Non-nationals do not normally subscribe to trade unions because they are always employed on contract. Under section 28 of the Act any person under the age of 21 years will only be permitted to join a trade union if that organization allows, under its constitution and rules, the admission of minors.

Disciplined forces

96. Members of the disciplined forces are not permitted, even under the Trade Unions Act to establish trade unions. The disciplined forces comprise the Navy, Army or Air Force, the Fire Service, the Prison Service, the Marine Division, the Police Force, the Special Constabulary, or any other constabulary or police force established by Parliament (Trades Unions Act, sect. 2 (1)).

97. Solomon Islands does not as yet have a Navy, Army or Air Force. The Marine Division, a civilian body, has been disbanded. The Fire Service and Special Constabulary are an integral part of the Police Force.

98. The Police Act 1972 (sect. 15) and the Prison Service Act 1972 (sect. 14) provide for the establishment of one or more associations to look after the welfare of their members. The associations are entirely independent of and unassociated with any other trade unions or persons. The associations are not trade unions within the meaning of the Trade Unions Act. Members of the Police Force and Prison Service are not permitted to take industrial action.

National trade unions

99. The Government encourages the development of responsible unionism in the country. It places no restrictions on national unions joining international trade union organizations.

100. The eight registered unions in Solomon Islands listed below are affiliated with the Solomon Islands Congress of Trade Unions (SICTU), with the exception of the Solomon Islands Medical Association:

Solomon Islands National Union of Workers (SINUW);

Solomon Islands Nurses Association (SINA);

Solomon Islands National Teachers' Association (SINTA);

Paramedical Association (Paramedics);

College of Higher Education National Lecturers Association (CHENLA);

College of Higher Education National Staff Association (CHENSA);

Solomon Islands Public Employees Union (SIPEU);

Solomon Islands Medical Association (SIMA).

101. The Solomon Islands Police Association and the Solomon Islands Prison Association have observer status at SICTU.

102. SINUW is the principal private sector union. Its 42 affiliates are from plantations[7](6), statutory authorities (5), transport (3), hotel/catering (3), printing (1), communications (1), manufacturing (2), construction (2), service/garage (2), wholesale/retail (1), banking/financial institutions (3), and all direct employees of the eight provincial governments and the Honiara City Council.

Total union membership

103. In 1999 the total membership of SINUW was 15,000 of whom 4,000 (26 per cent) were female.[8] The combined membership for all public sector unions in 2000 is approximately 3,000.[9]

104. There exists in the country a number of what is generally referred to as "in-house unions" These are not affiliated with SINUW or SICTU. Any issue relating to the welfare of their members is raised and discussed with management by the executive committee of each in-house union.

Membership of international trade unions

105. SICTU is not affiliated with any international trade union but its members are affiliates of some of the world-renowned labour organizations.

106. SINUW is affiliated with the South Pacific and Oceania Council of Trade Unions, the International Transport Federation, the International Federation of Building and Woodworkers and the Commonwealth Trade Union Council. SINA is an affiliate of the Commonwealth Nurses Federation, the New Zealand Nurses Association, the Canadian Nurses Association and Public Service International. SINTA is a member of Education International and the Council of Pacific Education. SIPEU is affiliated with Public Service International.

The right to strike

107. All workers are granted the possibility of striking, but there are conditions with which they have to comply. Members of the disciplined forces are not permitted by law to take any form of industrial action.

108. Workers employed in essential services, as defined in the Essential Services Act 1963, are required by law to give notice of their intention to go on strike. Section 2 (1) (i) of the Act states, "... the notice shall be served upon or delivered to the employer ... and also upon or to the Permanent Secretary of the Ministry responsible for labour not less than twenty-eight nor more than forty-eight days before the commencement of a withdrawal of labour ...".

109. Essential Services are: water, electricity, fire, health, hospital, sanitary, search and rescue, stevedoring and port services, telecommunications, immigration, meteorology, customs and excise, quarantine, broadcasting, post office, the Treasury Division of the Ministry of Finance and transport essential to the operation of the services or any of them, and the supply and distribution of fuel, oil and petrol essential to the maintenance of their services or any of them (Essential Services Act, sect. 2 (7)). Not all essential services are unionized. The total number of workers covered by the Essential Services Act is 1,151.

110. Workers intending to go on strike are not permitted to proceed or continue with their industrial action if the trade dispute has been referred to the Trade Disputes Panel. Section 10 (2) of the Trade Disputes Act 1981 prohibits any person doing any of these things:

(a) Calling, organizing, procuring or financing a strike or industrial action short of a strike in furtherance of the dispute or threatening to do so;

(b) Instituting, carrying on, authorizing, organizing or financing a lock-out, or other industrial action short of a lockout in furtherance of a dispute, or threatening to do so; or

(c) Terminating, for whatever reason, the contract of employment of any employee whose conditions of service are at issue in the dispute.

Article 9. Right to social security

111. The traditional way of life of Solomon Islanders is in itself a social security system. Each member of the extended family feels obligated to help meet the welfare needs of other members of that family. Nevertheless, there exists in Solomon Islands the following social security systems: medical care; cash sick benefits, maternity benefits; old age benefits; invalidity benefits; survivors' benefits; employment injury benefits.

Medical care

112. Medical care provided by the Government is accessible and free of charge to all Solomon Islands residents regardless of their economic or social status. Private medical service providers charge fees. Private insurance companies provide medical care insurance, especially for the treatment of the sick in overseas hospitals. Only persons employed in the formal sector benefit from this service. Some large employers and unions pay the insurance for their workers or members.

Maternity benefits

113. By virtue of section 80 of the Labour Act 1982, a female employee is entitled to up to 12 weeks of compulsory maternity leave. The employer may grant additional leave if certified necessary by a medical practitioner. The additional leave, if paid, is deducted from the employee's annual or sick leave. Some workers combine their maternity leave and annual leave to spend a longer period with their children.

114. The female worker is entitled to the free medical benefits provided by Government. She is permitted two hours a day during working hours to leave work to nurse her child. A casual female worker is entitled to the free medical benefits provided by the Government. If she is absent from work for the purpose of nursing her child such absence is not paid.

115. In the rural areas large employers are required by the Government under the Labour Act 1982 (sects. 70 and 71) to provide free medical care to their employees and their families, as well as persons not employed by them. The Government subsidizes the cost of their pharmaceuticals. Some churches, in particular the Seventh Day Adventists and the United Church (Methodists), also provide Government-subsidized medical care.

Cash sick benefits

116. Under Legal Notice 19/82, made under section 80, subsection (1) (T) of the Labour Act 1982, only persons who have been employed for more than six months are entitled to sick leave pay up to 22 working days a year. The employer has the discretion to grant additional leave with or without pay.

Old age benefits

117. Irrespective of nationality, any person employed six days or more in a month or is paid SI$ 20 or more in a month must contribute to the National Provident Fund (NPF) 5 per cent of his/her wages unless exempted under sections 27 and 50 of the NPF Act. The employer is required to pay on behalf of each employee 7.5 per cent of the employee's gross wages.

118. A member of the NPF may withdraw contributions at the age of 40 upon proof of retirement. At the age of 50 years a contributor is at liberty to withdraw all contributions whether or not he/she is still employed.

Invalidity benefits

119. The benefits are catered for under the National Provident Act 1976, the Employment Act 1981 and the Workmen's Compensation Act 1982.

120. An employee contributing to the National Provident Fund who is below the age of 40 or 50 years may, if medically certified to be unfit to remain in employment, withdraw contributions.

121. The Employment Act 1981 provides for Employers' Liability Insurance. Section 20 of the Act requires all employers carrying on any business in Solomon Islands to insure and maintain insurance against liability for bodily injury or disease sustained by employees during the course of their employment in Solomon Islands. The amount for which an employer is required to insure and maintain insurance is SI$ 120,000 for any claims arising out of any one occurrence and SI$ 12,000 for any claims relating to any one employee arising out of any one occurrence. There is no effective mechanism in place to monitor employer compliance.

122. The Workmen's Compensation Act 1982 lays down the amount of compensation payable in respect of death, permanent total incapacity and temporary incapacity. In cases of total incapacity the compensation is equal to four years' earnings. The Minister responsible for employment may, however, vary the sum to be paid. In situations where the injured employee needs the constant help of another person, additional compensation amounting to one quarter of the principal compensation will be paid.

Survivors benefits

123. Benefits payable to survivors are provided for in the National Provident Act 1976 and the Workmen's Compensation Act 1982.

124. Under the NPF scheme employees contribute SI$ 5.00 a year to the Special Death Benefit Fund. The beneficiaries receive the maximum payment of SI$ 2,500 for the investment. The other benefit survivors receive is the credit balance of the deceased employee's contributions.

125. Under the Workmen's Compensation Act, in the case of death resulting from injury, survivors wholly or partly dependent on the worker are paid the equivalent of 36 months' earnings. The Minister responsible for employment or a court may vary the amount. Where there are no dependants, the employer pays reasonable expenses related to the death and burial of the employee. These expenses must not exceed the sum laid down by the Minister.

Employment injury benefits

126. If an injury causes a permanent partial incapacity the amount of compensation is a percentage of the compensation which would have been payable in the case of permanent total incapacity. These percentages are contained in the First Schedule to the Workmen's Compensation Act 1982. If the injury is not specified in the First Schedule the compensation would be a percentage of the amount payable in the case of permanent total incapacity.

Unemployment benefits

127. Under the NPF scheme members who have been unfairly dismissed as determined by a court or the Trade Disputes Panel or made redundant may withdraw their contributions. The member must, however, satisfy the NPF that three months prior to applying to withdraw he/she has been unemployed. The member, if still unemployed, is permitted to withdraw one third of his/her contributions. If still unemployed after one year the member is paid half of the balance. The remaining contributions are paid out if after another year the member is still unemployed.

128. The Employment Act 1981 provides for redundancy payments. A worker who has been employed continuously for 26 weeks is entitled to redundancy payment (sect. 2), but there are exclusions.

129. An employee is not entitled to redundancy payment if, on the date of dismissal, he/she has attained the age of 50 years, or is dismissed for misconduct or refusing to be employed by the same employer under a new contract. Additional grounds for the exclusion of Solomon Islands citizens to the right to redundancy payment are the unreasonable refusal of a worker of a new offer of employment, or a renewal of contract or re-engagement that takes effect less than four weeks from the date of the previous contract (sect. 3).

130. A non-citizen is not eligible for redundancy payment though he/she is employed in Solomon Islands (sect. 22).

131. The amount of redundancy payment to which an employee is entitled is calculated using the formula PE x $\frac{1}{26}$ x BW where PE is the number of weeks in the period of employment and BW is the basic weekly wage for the employment on the date of dismissal to which the redundancy payment relates. No redundancy payment may exceed BW x 65.

The redundancy fund

132. The Minister responsible for labour matters is empowered by the Employment Act (sect. 10) to establish by regulation a fund called "The Redundancy Fund". Money to meet the expenses of the Fund would be obtained by the imposition of a levy on employers. The Fund is yet to be established.

133. The purpose of the Fund is to assist any person entitled to a redundancy payment but who, for any reason, is unable to recover the whole or part of the payment.

Informal (private) social security schemes

134. This type of social security is offered by Solomon Mutual Insurance and Solomon Islands Family Assurance. Their policies cover cash sick benefits, medical care, maternity benefits, invalidity benefits and employment injury benefits. Either the employer, unions or individual workers finance the schemes.

Article 10. Protection of the family, mothers and children

135. Solomon Islands acceded to the Convention on the Rights of the Child in 1995 but is not party to:

International Covenant on Civil and Political Rights;

Convention on the Elimination of All Forms of Discrimination against Women;

ILO Maternity Protection Convention (Revised), 1952 (No. 103); or

ILO Minimum Age Convention 1973 (No. 138).

136. The initial report on the implementation of the Convention on the Rights of the Child was produced in March 1998 and dispatched to the appropriate supervisory committee in 1999.

Family

137. The term "family" in Solomon Islands has several meanings. It might mean a nuclear family or an extended family. An extended family consists of people who are related by marriage and descent.

Age of maturity

138. The laws and ordinances of Solomon Islands have great variations with regard to the age a person attains maturity. The following examples illustrate these variations.

139. The minimum voting age is 18 years (Constitution, sect. 55 (1) (a)) but a candidate for any election must be at least 21 years of age (sect. 48 (b)). Section 28 of the Trade Unions Act classifies a worker under 21 years of age as a minor. Such a worker may be a member of a registered union only if the rules and constitution of the organization permit the admission of minors. The amendment to the Liquor Act (sect. 47) in 1988 increased the legal age for the purchase and consumption of alcohol from 18 to 21 years of age.

140. The Islanders' Marriage Act (Cap. 47) permits a person who has attained the age of 15 years to marry, but with the consent of the father, or, in his absence, the mother, or, in her absence, the guardian. Persons aged 18 years or above may marry without the consent of these persons.

141. The minimum age for consent for medical counselling and operations is 18 years. Health practices in Solomon Islands are fairly liberal. Persons as young as 12 years of age may access reproductive health services without parental or guardian consent.

Marriage

142. The practice of arranged marriages is gradually disappearing. Many men and women now enter freely into marriage.

143. In some parts of Solomon Islands, whether a marriage is arranged or freely entered into, the payment of "bride price" is not uncommon. The price varies from region to region. The payment signifies the economic and social values attached to the woman's reproductive role. Some Christian Churches have imposed maximum limits on the price to be paid. Others prohibit their adherents from paying or accepting the bride price.

144. The large cash payments of today in some parts of the country bring a new interpretation to the bride price. It may now resemble "ownership" or "purchase" of the bride.

Maintenance, strengthening and protection of the family

145. Solomon Islands has legal provisions for the maintenance, strengthening and protection of the family.

146. Under the Penal Code, section 211, the head of the family is required to provide for any child under the age of 15 years.

147. In a situation where the parents have legally separated, the Affiliation, Separation and Maintenance Act requires the father to pay the mother to maintain the child or children. This provision also applies to males who sire children out of wedlock, but it is difficult to enforce especially in a situation where the father is not in wage employment. Even in a situation where a father is in wage employment, a mother may choose not to take the case to court for fear of losing custody of her child to the father. She relies on the security of the extended family for the well-being of the child.

Maternal protection

148. Except for casual workers, all female employees are entitled to 12 weeks of paid compulsory maternity leave (Labour Act, sect. 42).

149. The law specifically mentions casual employees as the only category of workers not entitled to paid maternity leave. However, General Order B214 states that a female probationary officer (in the public service) shall not be paid whilst on maternity leave. This regulation is inconsistent with the Labour Act. Section 42 of the Act makes no distinction between a "probationary" female public officer and a "confirmed" female public officer. Both are female employees.

150. The rate of maternity leave wages received varies but the law lays down that it must not be less than 25 per cent of what would have been earned had the female worker not been absent from work. Public service female employees are paid their full wages for the entire period of maternity leave.

151. The maternity leave is taken six weeks prior to and six weeks after the date of confinement. The employer may grant additional leave if certified necessary by a medical practitioner, but such leave is deducted from annual or sick leave if paid. All working women are allowed two paid hours a day during working hours to nurse their babies.

152. It is unlawful for an employer to give notice of dismissal to a female worker during the period of maternity leave or any additional leave medically certified to be necessary. The Government provides free medical service to all residents of Solomon Islands.

Protection of children

153. The Labour Act has legal measures to protect children against economic exploitation or work dangerous to their lives.

154. The Act sets out minimum ages for admission to employment in various sectors of the economy. Sections 46 to 49 inclusive prohibit the employment of:

(a) Children under 12 years of age, with the exception of light agricultural or domestic work done in the company of one or both parents or a guardian;

(b) Any person under 15 years of age on any ship or in any industrial undertaking without the consent of the Minister responsible for labour; a person under the age of 15 years may work in a training ship or a technical college or school where such work is approved and supervised by the appropriate authority;

(c) Any person under the age of 16 years in any mine underground;

(d) Any person under 18 years of age:

(i) In a mine underground, except for a male who has attained the age of 16 years and has been medically certified fit for the job;

(ii) On any ship; a person aged between 16 and 18 years may work on a ship exclusively engaged in coastal trade;

(iii) During the night in any industrial undertaking; a male above 16 years of age may be employed with the written consent of the Commissioner of Labour.

155. The Act affords protection to children aged 12 and above from employment in certain industrial undertakings. There is no apparent protection for children of the same age range from being employed in the commercial sector. This limitation in the Act could leave children open to exploitation.

156. The actual number of children engaged in paid employment is not known. The Solomon Islands Employment Survey 1998 showed that of the 34,041 persons in paid employment 557 (1.6 per cent) were in the 15-19 age category. Of this age group approximately 52 per cent were females. In a country where the Birth and Death Registration Act is not strictly adhered to and where there is no mandatory requirement for a job applicant to produce evidence of the date of birth, some workers may be employed in jobs for which, under the Labour Act, they do not meet the minimum legal age requirement.

157. Children in Solomon Islands assist their parents, guardians, or persons with whom they live. In the rural areas they work in the home and on the land. In the urban areas they assist in the household as well as in any family business.

158. The Solomon Islands initial report on the implementation of the Convention on the Rights of the Child provides comprehensive coverage of the types of protection provided to children under the various laws of the country.

159. The Department of Commerce, Employment and Labour, the Department of Youth, Women and Sports and the Family Crisis Centre disseminate information on matters relating to the maintenance, strengthening and protection of the family. This is done through the broadcast and print media.

Article 11. Right to an adequate standard of living

160. The economy of Solomon Islands is largely subsistence. About 80 per cent of the rural population rely on subsistence production and supplementary activities to earn cash.

161. A series of surveys[10] of household income and expenditure which the Statistics Office conducted in the early 1990s revealed the different income levels in rural areas, provincial centres and Honiara. All surveys refer to wage employment only.

162. The survey in 1991 showed that 45 per cent of Honiara households received less than SI$ 750 per month. The average Honiara household income was SI$ 2,387 and per capita income was SI$ 358. Approximately 90 per cent of the households in Honiara received less than the average amount. About 45 per cent of the Honiara households received 8 per cent of total incomes. The top 1 per cent (which includes expatriate households) received above 50 per cent of total incomes. Expatriate households' income was seven times higher than the income of Solomon Islander households. There was a disparity in the incomes of Solomon Islander households. The survey found that the top 10 per cent received more than half of the total incomes earned by Solomon Islander households.

163. The income and expenditure survey for provincial centres showed that 72 per cent of households earned less than SI$ 750 per month and 14 per cent earned less than SI$ 250 monthly. The average income in provincial centres was computed to be SI$ 610. More than 60 per cent of the households received less than the monthly average income. The top 50 per cent of the provincial centre households earned more than three quarters of the total income.

164. The income and expenditure survey in rural areas in 1993 showed that 84 per cent of households earned less than SI$ 50 per month. The average household income in rural areas was $66. The per capita income was SI$ 11. The bottom 84 per cent of households earned less than 0.5 per cent of total household incomes in rural areas.

165. The minimum wage up to 1996 was SI$ 0.74 per hour. Since March 1996 the hourly minimum wage has increased to SI$ 1.20 for workers in the fishing industry and agricultural plantations and SI$ 1.50 for other employees. In 1997, the actual hourly rate for people in skilled trades and finance sector employees in Honiara was SI$ 5.00 and SI$ 7.70, respectively.[11]

166. There is no "poverty line" established in Solomon Islands and no information is available on the per capita GNP for the 40 per cent of the population considered to be the poorest.

167. The Physical Quality of Life Index for Solomon Islands is not known.

Right to adequate food

168. The majority of the population live in the rural areas and depend on the land or land and sea for their livelihood. As far as is known there is no hunger in Solomon Islands, but there are signs of malnutrition, especially amongst young children.

169. The Solomon Islands National Nutrition Survey conducted in 1989 revealed a high prevalence of moderate malnutrition among children under 5 years of age. There were considerable provincial variations. Children in Honiara, Polynesian outliers and Temotu Province had fewer problems of malnutrition. Children in Western and Isabel Provinces had the most.

170. No survey has been conducted to determine the nutritional situation of any other groups, such as the urban unemployed and elderly people. Such a survey would be desirable if resources were available.

171. The Ministry of Health and Medical Services uses the broadcast and print media to disseminate information on nutrition and other health matters.

Right to adequate housing

172. Everyone in Solomon Islands has adequate access to shelter. Traditional Solomon Islands houses are built of local timbers and sago palm leaves in the rural areas. In some parts of the country building materials for traditional houses are becoming difficult to obtain in adequate quantities. In the urban centres and, increasingly, in many rural areas European-style houses of wooden and concrete block construction with iron roofs are built. These non-traditional houses are financed either from personal resources or through loans from the commercial banks, the National Provident Fund and the Home Finance Corporation. Some employers also provide residential accommodation for some of their workers.

173. The number of homeless individuals and families, if such exist, is not known. If an individual or family is homeless then that disadvantage is made by choice. Everyone in Solomon Islands now has a home in their village of origin.

174. There are a number of squatter settlements in and around Honiara, the capital, but even the national Government and the Honiara City Council do not know how many are legal or illegal. The exact number of persons occupying such settlements is not known. The settlements are on Government-owned land. The Government had no choice but to confer the title to the land on the squatters. The Government is not receiving all the rentals for its land and the Honiara City Council is not getting all the property rates due it. Their compliance regulations are not effectively administered.

175. All permanent houses constructed in the urban centres have to comply with the requirements of the Town and Country Planning Act, but there is no effective enforcement of the planning controls due to the influence of money and the wantok system.

176. The Town and Country Planning Act 1980 stipulates the building codes, regulations and standards as well as the provision of infrastructure. Section 6 (1) (a) of the Act provides for the orderly development of land in the interests of the health, amenities, convenience and general welfare of the community. The abolition of the Site Development Budget of the Department of Lands coupled with the Temporary Occupation Licence system resulted in the formation of squatter settlements on Crown land. Successive Governments have not been able to enforce the law.

177. There is no social housing. The exact number of urban persons renting houses is not known. Data provided by the Department of Lands and Housing and the Inland Revenue of the Department of Finance showed that in 1999 1,895 public officers lived in government quarters or

houses rented by the Government on the open market. The officers pay only nominal rents. The number of private sector employees living in employer residential accommodation or employer-rented houses is unknown.

178. Information on the number of persons occupying their own houses is not available. There are no official data on persons who rent houses by private arrangement. Not all landlords pay taxes to the Government. The income tax law requires landlords to pay the Government withholding tax, but there is no mechanism in place to ensure compliance. Illegal occupation of houses is uncommon in Solomon Islands.

179. There is a desperate need to establish a system to obtain data on persons living in their own houses, persons renting housing by private arrangement and workers living in employer-provided accommodation.

180. The need for residential accommodation in Honiara is growing with the increase in urban drift. This is manifested by the construction of "shacks accommodation" and overcrowding in certain areas of the capital. The exact number of persons in urban areas needing residential accommodation is not known. At the end of 1999, 2,290 government employees were on the waiting list for housing. Most of these were in Honiara. The employees lived with relatives while awaiting government accommodation.

181. Solomon Islands has no legislation to protect tenants from eviction, or to control the rents and prices of houses. The eviction of a tenant is dependent on the landlord. The rent charges and prices of houses are dependent on market forces. There is no law to control speculation on housing or land.

182. The Government always encourages employers to build houses to accommodate their workers. In the last 10 years, however, it changed its policy administratively by providing urban land to three private companies to build houses for sale and rent to the public. These have not been very successful because two of the companies did not have the financial means to fulfil their mandates. One company in particular operated more as a land speculator than a builder of houses. None of these companies received financial assistance from the Government.

183. The policy of providing urban land to the private sector to construct houses for the public to purchase or rent will be continued. Under the proposed amendment to the Land and Titles Act land may be allocated directly to a company intending to construct low-cost housing. All other land allocations will be by tender. This change will provide transparency and accountability.

184. It has never been and it is not the policy of the Solomon Islands Government to build houses to sell or rent to the public at whatever price or charge. This policy is unlikely to change. The Government has been selling its houses to its own workers since the late 1970s.

185. Solomon Islands has no right to housing legislation.

186. Whatever development has occurred in Solomon Islands has been concentrated only in some parts of the country, especially on the Island of Guadalcanal. The Government sees the significance of devolving or spreading development to other parts of the country. If this is realized, small urban areas will be developed.

Water and sanitation

187. Most of the urban and peri-urban households have access to chlorinated water supply and many have tank water. The number of households without any access to safe water is not known. According to the 1999 Population and Household Census 52 per cent of the 65,000 households had access to piped drinking water. Piped drinking water is not necessarily safe drinking water.

188. The supply of water in urban areas is the responsibility of the Solomon Islands Water Authority (SIWA), the former water unit of the Ministry of Transport, Works and Utilities. The demand for water in all urban centres had exceeded existing capacities.

189. In the rural areas about 64 per cent of the population have access to clean but unchlorinated water. In the atolls the main source of water is from wells and rainwater tanks.

190. As for sanitation, most urban households have access to toilet facilities - either septic systems or pour flush. In the peri-urban areas septic systems, pour-flush or squatting toilets or ventilated improved pit latrines (VIP) are available but not installed or used. Many people use the "bush" or beach/sea or the river. The 1999 Population and Household Census showed that only 23 per cent of households have modern toilet facilities.

191. In the rural areas only about 19 percent of the population have access to proper toilet facilities. There are very few septic systems.

192. The Government recognizes the importance of water and sanitation. It has requested and obtained external aid for the development of the supply of water. The Australian-funded Rural Water Supply and Sanitation Project is mandated to improve the supply of water and disposal of excreta by sanitary means. Japan, Australia and the European Union provided funds for the improvement of the capacity of the Honiara water supply.

Electricity

193. The provision of electricity in Honiara, the provincial capitals, Noro and Munda in the Western Province and Malu'u in Malaita Province is the responsibility of the Solomon Islands Electricity Authority. The supply of power is inadequate to meet the domestic and industrial needs of these areas. In 1999 only 16 per cent of households had electricity.

194. The Government wants to promote rural electrification, which has not received much attention to date. It has signed an agreement with Japan for the Japan International Cooperation Agency to conduct a comprehensive study with a view to examining alternative sources of energy and assessing the urban and rural demand for electricity.

195. A non-governmental organization, APACE, of Australia, is assisting in the rural electrification of selected areas. To date it has funded three rural hydro schemes in the provinces.

Postal services

196. The postal service in Solomon Islands is extremely underdeveloped. The country has 8 post offices and 92 postal agencies. All the provinces, except Guadalcanal and Rennell/Bellona, have post offices. In the villages postal services are not considered important.

Article 12. Right to physical and mental health

197. All Solomon Islands residents have the right to health services. The country's National Health Policies and Development Plan 1999-2003 aims to continue to promote, protect, maintain, restore and improve the health and well-being of the people. This is being fostered through primary health care, health promotion, health protection and disease prevention and control programmes in the country.

198. Health care and health improvement services are provided through the 8 hospitals, 14 area health centres, 123 health clinics, 61 nurse aide posts and 128 village health worker posts in the country.

199. Besides Government, churches, non-governmental organizations (NGOs) and the private sector provide health care services. The private health care service is available only in Honiara. Health services not provided by the Government are governed by policies and guidelines of the Ministry of Health and Medical Services (MHMS). The Government subsidizes the operations. As part of its efforts to achieve its goals the Government is planning to expand its community education and awareness programmes through the network of NGOs such as church and women's groups.

200. Solomon Islands has achieved considerable health improvements since 1978 as reflected in the decline of infant and maternal mortality rates and the increase in life expectancy. The infant mortality rate has declined from 46 per 1,000 live births in 1976 to 38 per 1,000 live births in 1986. The estimated maternal mortality rate declined from 549 in 1992 to 209 per 1,000 live births. The crude birth rate decreased from 42 in 1986 to 38 per 1,000 while the crude death rate declined from 10 to 7 per 1,000. Life expectancy increased to 65 years, from 54 in 1976. While the rates reflect an enormous improvement in the health status of Solomon Islanders, health standards in the Solomon Islands remain low by world standards. Data for 1999 are not yet available.

Access to trained health personnel

201. Access to trained health personnel has increased with the upgrading of existing facilities and the establishment of new ones. The MHMS estimates that approximately 70 per cent of the rural population live within 3 kilometres of a health facility and 20 per cent live 5 kilometres

away. About 58 per cent of the rural population walk to health facilities. It is estimated that at least 70 per cent of deliveries take place in health facilities staffed by trained health workers. In 1996 and 1997 antenatal coverage was 74 and 68 per cent respectively. Postnatal attendance was low in 1996 (37 per cent) and 1997 (40 per cent). Immunization rates for 1993 and 1998 are shown in table 5 below:

Table 5. Immunization rates

	1993	1998
BCG	47%	62%
Measles	61	64
DPT 3	68	83
Neonatal tetanus	56 (1996)	55 (1997)
Polio	62	67
Hepatitis B	50	70

Source: MHMS National Health Plan 1999-2003.

Mental health

202. The first Mental Health Unit was established in Honiara in the 1950s. It was supervised by a general medical practitioner with the assistance of untrained hospital warders.

203. In 1977 the Government constructed a 16-bed Mental Health Unit at the Kiluufi Hospital in Auki, Malaita Province. The administration of the Unit has been recentralized. It is now under the Ministry of Health and Medical Services and has its own budget.

204. The psychiatric health service is not a priority area in the health services in Solomon Islands. It suffers from lack of sufficiently qualified psychiatric staff, inadequate funding and apparent lack of moral support from the medical and nursing services. The operation of the National Psychiatric Unit is dependent on hospital physicians and nurses. The nurses have general nursing skills and have done at the most a year's nursing psychiatry training in Papua New Guinea.

205. In 1998 there were 606 recorded psychiatric cases. Sixty-seven per cent of these were male patients. The most common mental illness for both sex groups was schizophrenia with 284 of the 606 recorded cases, representing nearly 47 per cent. Of the 284 cases of schizophrenia 203 were men, representing approximately 34 per cent of the patients suffering from this illness. Of the 16 cases of attempted suicide, 75 per cent were women. The breakdown is shown in table 6.

Table 6. Mental health cases 1998

	Male	Female	Total
Schizophrenia	203	81	284
Manic depressive psychosis	48	33	81
Organic psychosis	70	23	93
Neurosis	45	39	84
Depression	4	5	9
Psychosomatic illness	7	1	8
Substance abuse	26	1	27
Attempted suicide	4	12	16
Post-partum psychosis	0	3	3
Personality disorder	1	0	1
Total	408	198	606

Source: Ministry of Health and Medical Services, Honiara.

206. The number of psychiatric cases may be higher. Solomon Islanders are not fully aware of the existence of the psychiatric service. Many psychiatric patients regard their conditions as physical illnesses.

New health policy directions

207. In its National Health Policies and Health Development Plan 1999–2003 the Government sets out health targets. Some of these are:

(a) To improve the capacity of the Ministry of Health and Medical Services to plan, implement and evaluate health services;

(b) To improve reasonable, minimal, essential health care which is cost-effective and affordable;

(c) To provide an adequate supply of essential drugs and to ensure their availability in the rural health facilities throughout the year;

(d) To continue the programme for the prevention and control of communicable and endemic diseases such as malaria, acute respiratory infections, malnutrition, diarrhoeal diseases, tuberculosis, sexually transmitted diseases, leprosy and skin diseases;

(e) To promote primary health-care services at community level;

(f) To develop a professional, effective and efficient workforce;

(g) To improve accessibility to basic mental health services;

(h) To further strengthen the Environmental Health Service, in particular the promotion of clean water, sanitation, food hygiene, inspections and quarantine, occupational health and safety at work and home;

(i) To enhance behavioural changes that promote healthy lifestyles and family health, especially family planning, maternal care, population education, and nutrition;

(j) To reduce maternal, perinatal and neonatal mortality rates;

(k) To train all health workers in modern contraceptive technology and adolescent reproductive health;

(l) To increase the rate of supervised deliveries and antenatal attendance at clinics;

(m) To increase the use of contraception;

(n) To reduce teenage pregnancies;

(o) To enhance collaboration with NGOs and development partners with regard to health financing and delivery of health services to the rural population.

Financing of health services

208. Health improvement has been and will continue to be a priority social policy of the Government. The share of the national budget allocated to the MHMS reflects this priority. On average, approximately 16 per cent of the recurrent budget and 7 per cent of the development budget are allocated to the health sector. The allocation of the recurrent budget for 1997, 1998 and 1999 was approximately 16, 14 and 16 per cent respectively.

209. While the share of the national recurrent budget allocated to the health sector has been maintained, on average, at the same level, a lower proportion of the health budget is spent on provincial health services where the majority of the population live. In 1989, 1991, 1993 and 1995 provincial health services received only about 43, 35, 33 and 39 per cent, respectively, of the health budget.[12] The bulk of the budget was spent at the National Referral Hospital on curative care. Under the Government Policy and Structural Reform Programme a larger proportion of the health budget was to be allocated to community and public health programmes. It is anticipated that the Government of National Unity, Reconciliation and Peace will at least maintain the level of funding for community and public health programmes.

International assistance

210. For the period 1990-1998 international assistance to the health sector was 36-48 per cent of total resources provided to the Government.

211. For the eight-year period 1990-1998, donor assistance for the health sector totalled approximately SI$ 125 million. The largest donor was the United Kingdom (SI$ 29 million) followed by the Republic of China (SI$ 26 million) and the World Health Organization (SI$ 19 million).

212. Thirty-five per cent of donor assistance was used for hospitals and clinics, 31 per cent for primary health care, 15 per cent for immunization and disease control, 11 per cent for family planning and 8 per cent for sectoral policy and planning.

213. All donors (1990-1998) are shown in table 7 below:

Table 7. Donor assistance to the Health Service

	SI$	Percentage
Australia	6 024 758	4.8
Canada	725 631	0.6
New Zealand	2 072 154	1.6
United Kingdom	29 598 877	23.5
Republic of China	26 838 100	21.3
Asian Development Bank	1 151 500	0.9
European Union	8 956 052	7.1
World Health Organization	19 176 386	15.2
United Nations Development Programme	4 428 171	3.5
UNICEF	899 124	0.7
United Nations Population Fund	10 661 914	8.5
Other United Nations agencies	15 411 727	12.2
Total	125 944 394	100.00

Source: Solomon Islands Development Assistance 1990–2001 Report.

Article 13. Right to education

The education system

214. The policy and administrative structure of the education system is defined in the Education Act 1978. It is based on the principle of partnership amongst the central Government, provincial governments, churches and communities and other organizations.

215. The central Government, through the Ministry of Education, controls the approval or withdrawal of approval of education, authorities, approval of curriculum, level of grants to school, school fees, schooling schedules, and registration or deregistration of schools and teachers.

216. Provincial governments, churches and communities are education authorities established under the Education Act 1978. To be considered for registration as an education authority the Ministry of Education must be satisfied that the applicant has sufficient resources and facilities to satisfactorily operate the schools and can competently administer the schools, and that there is a genuine need to operate the schools.

217. An education authority is responsible for the maintenance of the schools under its control and must ensure that the requirements of the central Government, as per the Education Act, are complied with. There exists within the administrative structure of the education system provision for school committees and boards of management. These voluntary bodies are appointed either by the education authority and/or the parent teacher association. They provide advice and support, raise funds, and carry out capital works for many schools.

218. The advisory body to the Government on the operation, development and financing of education is the National Education Board. Members of the Board, appointed by the Minister of Education, are drawn from all education authorities and others involved in the provision of education. The Board has not been active for the last 20 years.

219. Another very important part of the administrative structure is the Teaching Service Commission. This body confirms appointments, promotions and the discipline of teachers.

School structure

220. The structure of the school system in Solomon Islands consists of early childhood, primary, secondary and higher education.

Early childhood education

221. Early childhood education has three basic components - early childhood, pre-school and preparatory classes. Only the last is recognized as part of the formal system in that the teachers are paid by the Government. Early childhood classes are still largely supported by the respective school communities. Early childhood education is provided mainly in the urban areas. The fees charged for early childhood classes are beyond the financial means of many parents, especially the urban disadvantaged. Early childhood education is not a prerequisite for enrolment in primary school. The preparatory class enrolments for 1995-1997 are shown in table 8 below:

Table 8. Preparatory enrolment 1995-1997

Year	Males	Females	Total
1995	7 045	6 303	13 348
1996	7 502	6 635	14 137
1997	7 269	6 594	13 863

Source: Statistics Division, Ministry of Finance.

Primary education

222. Primary education is free to all but not compulsory. The Government discharges its obligation to primary education by paying teachers' salaries and grants to schools as well as paying board and tuition for all trainee teachers.

223. Primary education begins in standard 1 and ends in standard 6. The legal age range of entry is 6 to 9 years. All primary schools are registered under particular education authorities, which maintain and operate them. At the end of standard 6 all pupils sit the secondary school entrance examination. They all apply for places in secondary schools of their choice but, due to the shortage of places, selectors make the final decision.

224. Primary school enrolment is estimated at 75 per cent with a gross enrolment rate of 90 per cent.[13] Enrolment increased by about 5 per cent annually in the 1990s. The enrolment increased from 57,720 in 1990 to 70,103 in 1993 and to 80,703 in 1997. The mean increase in enrolment for the period 1994-1997 was 3 per cent lower than for 1990-1993.

225. About 45 per cent of all primary school pupils are females. The proportion of females has continued to increase. The annual enrolment rate was 5 per cent for 1990-1997. The growth rate for males was under 5 per cent. Primary school enrolments for 1990-1998 are shown in table 9.

226. There were 539 primary schools in 1998 - 471 (87 per cent) were assisted by the central Government. The rest were privately administered.[14]

Table 9. Primary school enrolments by gender, 1990-1998

Year	Males	Females	Total
1990	31 902	25 818	57 720
1991	33 198	27 061	60 259
1992	36 544	29 481	66 025
1993	38 641	31 462	70 103
1994	40 081	33 039	73 120
1995	42 306	35 126	77 432
1996	43 316	36 354	79 670
1997	43 735	36 968	80 703
1998*	41 337	36 074	77 411

Source: Department of Development Planning, March 2000, The Availability of Economic and Social Statistics for Sustainable Human Development in Solomon Islands.

* 1998 figure is provisional.

Secondary education

227. Secondary education is available but not accessible to all. Secondary schools charge fees but these are heavily subsidized by the State. The non-availability and inaccessibility of secondary education are dictated by resources.

228. In 2000 there are 95 secondary schools. Of these, 2 are owned by the central Government, 16 are run by provinces, 77 by communities and 6 belong to churches. All secondary schools receive financial assistance from the Government.[15]

229. Schools providing secondary education are classified into national, provincial and community high schools. National secondary schools are run by the central Government and churches, provincial secondary schools by provincial governments, community high schools by communities. Community high schools do not normally have boarding facilities.[16]

230. Of the 95 secondary schools, 79 per cent offer only three years of schooling, 15 per cent offer five years, 5 per cent offer six years and only 1 per cent offers seven years of schooling. National secondary schools follow an academically oriented programme, while provincial secondary and community high schools are, in theory, vocationally oriented.

231. Secondary school enrolment has increased by about 13 per cent annually since 1990. In that year the total enrolment was 5,600. In 1997 the number increased to more than 13,000. It is estimated that well over 15,000 enrolled in 1998. The rapid increase in enrolment was due to the establishment of community high schools since the mid-1990s.

232. The enrolment of females has increased at a faster rate than of males. The annual enrolment increase was about 14 per cent during 1990-1997. The enrolment rate for males for the same period was 2 per cent less. Females averaged about 37 per cent of the total secondary school enrolment. Secondary school enrolments for 1990-1998 are shown in table 10 below:

Table 10. Secondary school enrolments by gender 1990-1998

Year	Males	Females	Total
1990	3 568	2 068	5 636
1991	4 094	2 469	6 563
1992	4 305	2 450	6 755
1993	4 693	2 658	7 351
1994	4 871	2 940	7 811
1995	5 265	3 245	8 510
1996	6 389	4 049	10 438
1997*	7 955	5 154	13 109
1998*	9 261	5 911	15 172

Source: Department of Development Planning, March 2000, The Availability of Economic and Social Statistics for Sustainable Human Development in Solomon Islands.

* 1997 and 1998 figures are provisional.

Higher education

233. Higher education is available but not accessible to all. This is dictated by resources and the fact that not all persons are endowed to cope with higher education. It is provided in-country and overseas.

In-country

234. Since its establishment in 1985 the Solomon Islands College of Higher Education (SICHE) has become the main provider of post-secondary education in Solomon Islands. SICHE has six schools: Education, Finance and Administration, Industrial Development, Marine and Fisheries, Natural Resources, Nursing and Health Studies. They offer proficiency award, certificate and diploma courses. Two degree courses were begun in 1999.

235. The Distance Education Centre at SICHE offers courses in mathematics, English, development/change, education studies, health studies and start your business. In 1998 the Centre had a total enrolment of 744 students.

236. The Small Engines Programme of the School of Industrial Development trains villagers how to operate and maintain small engines such as outboard motors, chainsaws, portable generators and portable sawmills. The courses vary in length from one to three weeks. The annual intake is between 500 and 600.

237. Besides full-time courses, since the 1980s, the School of Finance and Administration has been offering short courses and evening classes. The short courses cover general management, computing, accounting and finance, office administration and marketing. Evening classes cover typewriting and bookkeeping. The total enrolment for evening classes and short courses was 589 in 1997.

238. The University of the South Pacific (USP) Centre in Honiara offers both credit and non-credit courses through the distance education mode to part-time students. The Centre offers preliminary, foundation, vocational and degree courses. USP Centre enrolments for 1998 and 1999 are shown in table 11.

Table 11. USP Centre enrolments 1998 and 1999

	1998	1999
Preliminary	138	137
Foundation	308	563
Vocational	26	40
Degree	73	205
Total	645	945

Source: USP Centre, Honiara, October 2000.

Overseas training

239. Higher education can be obtained at various overseas universities but primarily at the University of the South Pacific in Fiji, the University of Papua New Guinea and the University of Technology in Papau New Guinea, as well as universities in Australia and New Zealand.

240. In 1998 there were 644 students in training overseas. Approximately 20 per cent were female. The funding is made available through scholarships provided by the Solomon Islands Government and development partners. This year 179 students (92 per cent) could not resume their studies at the University of the South Pacific in Fiji due to lack of funding from the Government. Government finance which would normally be earmarked for social services is being spent on the Guadalcanal ethnic crisis.

Non-formal education

241. The Ministry of Education through its Non-Formal Education Division, provides opportunities to individuals and communities and out-of-school youths to obtain education and training appropriate for their needs.

242. The Government does not initiate or determine the non-formal courses but collaborates with the rural training centres (RTCs) established, organized and maintained by churches and non-governmental organizations. The RTCs were initially established to provide training for persons who have either completed or not completed primary education. However, with the ever-increasing number of secondary school drop-outs, preference is now given to persons who have had some secondary education.

243. Solomon Islands has 41 vocational training centres (VTCs) consisting of 24 rural training centres (RTCs), 15 village-based centres (VBCs) and 2 village-based education programmes (VBEPs). The RTCs and VBCs/VBEPs are operated by churches and communities respectively.

244. The ethnic tension on Guadalcanal, internal conflicts and land disputes have led to the closure of 25 per cent of the RTCs and 20 per cent of the VBCs. The total student enrolment in the RTCs is 703.[17] This represents only about 45 per cent of the capacity of the RTCs. Enrolment numbers for the VBCs and VBEPs are not available.

245. The RTCs offer residential courses varying in length from one to three years. The VBCs and VBEPs run non-residential courses lasting not more than two weeks. The types of courses offered at the VTCs are given in table 3 under article 7 above.

246. All RTCs charge fees ranging from $100 to $1,455 per student annually. VBCs and VBEPs charge at the most $50 in fees.

Transition rates

247. Students progressing through the whole education system are required to sit the Solomon Islands secondary entrance examination in standard 6, the form 3 examination in form 3, the Solomon Islands school certificate in form 5 and the Pacific senior secondary certificate at the end of form 6. Progression through the system depends on each student's performance in these examinations and available places at the next level.

248. In 1998, 5,111 (52 per cent) of the 1997 standard 6 population of 9,752 entered form 1 of secondary school. In 1998 the transition rate from form 3 to form 4 was 60 per cent, a decrease of 7 per cent from 1997. The decrease in the 1998 form 4 intake was due to the large increase in the form 3 population. The attrition rate from the rural training centres is not known.

249. In 1999, 8,662[18] standard 6 pupils sat the Solomon Islands secondary examination and 5,611 (65 per cent) were accepted to enrol in form 1 in 2000. Of these, 2,525 (45 per cent) were females. The number of students who sat the form 4 examination was 3,579 out of whom 1,865 (52 per cent) progressed to form 4. Forty-one per cent were females. In form 5, 1,273 pupils took the Solomon Islands school certificate but only 339 (27 per cent) were offered form 6 places. Sixty-three per cent were males.

250. The principal difficulties encountered in the realization of the right to education are financial resources and staffing of schools. The Government plans to have full primary enrolment by the year 2015.

Literacy

251. According to the 1999 Population and Household Census the overall literacy in the population of 15 years and over was 76 per cent. Eighty-three per cent of males aged 15 years and above reported being able to read and write. The figure for females was 68 per cent.

252. The Highest literacy was found in the Western Province (93 per cent), Choiseul Province (92 per cent) and Honiara (90 per cent). The lowest was encountered in Temotu and Malaita Provinces (60 per cent and 61 per cent respectively). In the provinces the difference between males and females was also pronounced. Temotu has a literacy rate of 73 per cent for males and 49 per cent for females of 15 years and over. The corresponding figures for Malaita were 72 per cent and 51 per cent.

253. Promotion of adult literacy is not a priority of the Government which has done very little in this area of education. Some women's organizations have been involved in literacy work under an internationally funded literacy project. The work could not be sustained due to financial constraints. Data on financing and enrolment are not available.

Language facilities

254. The language of instruction in secondary and upper primary schools is English. English and Pidgin are used in kindergarten and junior primary schools. The use of local languages in schools is not discouraged. Pidgin is spoken but not written. No education materials are written in the local languages.

255. The Education Act (sect. 24) empowers the Minister for Education to prescribe the language or languages to be used as the medium of instruction in the schools.

Teaching staff conditions

256. The working conditions of teachers in the Teaching Service Commission are not as good as those of public service teachers. Public service teachers are government employees. The worst conditions are found in the rural areas. As from 2000 the Government hopes to improve the salaries of non-government teachers. This measure is necessary to discourage qualified teachers leaving the teaching profession.

Schooling schedules

257. The Schooling schedules are:

Kindergarten	08.00-11.45 hours
Primary 1-2	08.00-12.30 hours
Primary 3-6	08.00-14.00 hours
Secondary	08.00-14.00 hours

258. Primary schools have four terms of 10 weeks each. Secondary schools have two terms. The school year begins in January/February and ends in November/December. Vacations are four to five weeks during Christmas and three to four weeks in mid-year.

Financing of education

259. Under the Education Act 1978, the central Government is committed to providing financial assistance in the form of grants for recurrent costs to the education authorities. The education authorities make financial contributions from their own resources. Pupils in private primary schools and all secondary schools pay fees. The grants from the central Government and the monetary contributions from education authorities and pupils assist in the operations of schools. Parents of pupils in primary and community high schools are still expected to build classrooms and teachers' houses as well as maintain the schools.

260. Education has always been a priority sector for budgetary allocation. About 18 per cent of the budget has been allocated to educational services. In 1998 the Government reduced its education budget by 5 per cent. It made no financial allocation for the provision of materials and other services because it wanted development partners to meet some of the recurrent costs of education. The Republic of China (Taiwan) financed the provision of the materials.

261. Sixty per cent of the education budget is allocated to education services, which include teachers' salaries and grants to non-government schools, 6 per cent to provincial government schools for the recurrent costs of primary schools, and 5 per cent to the government secondary schools. SICHE receives about 17 per cent of the total education budget.

International assistance

262. The Education Act 1978 assumes that education authorities will provide the capital costs to expand existing facilities and build new schools. They do not have the resources to do so. To address this problem the Government seeks international assistance.

263. The first major education project, the Primary School Project, funded by the World Bank in the 1980s, financed classroom-building materials for the purpose of enhancing enrolment rates. The second World Bank-funded project was the Secondary School Expansion Project. Australia and New Zealand provided specific assistance. The project covered the construction of buildings, equipment and materials for two new secondary schools. The Secondary Teacher Training component at SICHE was co-financed by Australia and New Zealand.

264. The Third Education Project, also financed by the World Bank, focused on the rehabilitation of secondary schools (damaged by Cyclone Nina) and the upgrading of selected secondary schools.

265. For the period 1990-1998 the biggest bilateral donor was Australia (SI$ 100 million), followed by New Zealand (SI$ 46 million) and the United Kingdom (SI$ 35 million). The World Bank was by far the biggest multilateral donor (SI$ 60 million). See table 12 below.

266. Of the total donor assistance to the Education Sector in this period, 37 per cent was used for tertiary education (locally and overseas), 16 per cent for primary education, 7 per cent for non-formal education and 6 per cent for technical and education management.

267. Donor inputs into the education sector for the 1990/1998 period are shown in table 12 below.

Table 12. Donor inputs into the education sector 1990-1998

	SI$	Percentage
Australia	100 002 779	33.5
Canada	2 744 207	0.9
Japan	3 550 265	1.2
New Zealand	46 711 699	15.6
United Kingdom	35 237 660	11.8
Republic of China	5 271 220	1.8
European Union	6 283 116	2.1
Other bilateral donors	25 790 024	8.6
World Bank	60 612 000	20.3

	SI$	Percentage
World Health Organization	5 018 809	1.7
United Nations Development Programme	2 474 807	0.8
UNICEF	1 131 963	0.4
Other United Nations agencies	3 656 657	1.2
Economic and Social Commission for Asia and the Pacific	49 886	0.02
Total	298 535 092	100.0

Source: Solomon Islands Development Assistance 1990-2001 Report.

Article 14. Right to free primary education

268. Primary education in Solomon Islands is neither universal nor compulsory. Pupils attending private primary schools pay fees. All parents whose children attend fee-paying or non-fee-paying schools are expected to support their schools by building classrooms and teachers' houses or making financial contributions.

269. The Government accepts the principle that education is the right of every child and every citizen. It plans to provide basic education to all children by 2015. The Government set up a committee to conduct a comprehensive review of the entire education system. The committee was expected to complete its report by the end of August 2000 but had to discontinue its work due to lack of finance brought on by the ethnic tension.

Article 15. Right to take part in cultural life and to enjoy the benefits of scientific progress

270. There is no specific law concerning culture, but the preamble to the Solomon Islands Constitution states that Solomon Islanders "shall cherish and promote the different cultural traditions within Solomon Islands". The Government has a department, the Department of Home and Cultural Affairs, responsible for cultural matters.

271. The preservation of cultural identity is strongly encouraged in the formal education system and in villages. Pupils in both primary and secondary schools participate in cultural activities in their schools. Villagers, including children, take part in "Kastom" dances and other cultural activities. Arts and craft is a subject in secondary schools.

272. Some cultural groups, in particular pan-pipers, tour overseas by invitation and many tour the urban areas in Solomon Islands to raise funds in the interest of culture. The Government encourages the preservation of culture, but provides no direct budgetary allocation to stimulate private initiatives in culture.

273. The broadcast and print media provide enormous support for the promotion of culture. They report cultural happenings and advertise cultural group performances. There is no government interference.

274. Solomon Islands is an active member of the South Pacific Arts Festival and the Melanesian Arts Festival. The country hosted the first Melanesian Arts Festival in 1998. Solomon Islands has its own Trade and Cultural Show which is held intermittently.

275. The Department of Home and Cultural Affairs has under its jurisdiction the National Museum and the National Art Gallery. The Governments of Australia, New Zealand and Japan, as well as the European Union, financed specific National Museum and National Art Gallery projects. In 1976 and 1989 Australia, through its South Pacific Cultures Fund, paid for the construction of an open-air theatre and a traditional canoe house, as well as an archaeology storage wing of the National Museum. In 1999 the Government of Japan, under its Grass Roots Projects, funded the construction of a new separate building in the National Museum complex for exhibitions, information, research and storage.

276. The European Union, through the Tourism Council of the South Pacific, funded the construction of traditional houses in the Museum grounds in 1990. In 1998, through its office in Honiara, it funded the construction of the Melanesian Festival Village at the National Art Gallery for the first Melanesian Arts Festival.

277. The National Art Gallery, renovated with financial assistance from the Republic of Korea, is the centre for contemporary music, dance, arts and craft. New Zealand encourages arts and craft by paying prize money to the top wood carvers.

278. There are no restrictions on anyone benefiting from scientific progress or its applications.

III. CONCLUSION

279. Solomon Islands is not party to all the human rights conventions and covenants but successive Governments have made laws and regulations to safeguard the economic, social and cultural rights of the people.

280. The Government wishes to see that the obligations stipulated in the Covenant are fulfilled. It realizes, however, that the extent to which these obligations can be fulfilled is dependent on the available resources.

Notes

[1] Other countries within the Melanesian Triangle are Fiji, Vanuatu and Papua New Guinea.

[2] Solomon Islands 1999 Population and Housing Census, Main Results.

[3] Statistics Office, 1997, Village Resources Survey 1995/96, Honiara.

[4] Asian Development Bank, August 1998, Solomon Islands 1997 Economic Report.

[5] Statistics Office, 1994, Honiara Income and Expenditure Survey.

[6] Solomon Islands acceded to the Minimum Wages-Fixing Machinery Convention, 1928 (No. 26) in August 1985.

[7] These are agriculture and forestry plantations.

[8] The membership is lower in 2000 as a result of the closure of Solomon Islands Plantations Limited in June 1999.

[9] Public sector unions cover employees who are wholly or largely dependent on government subventions. State-owned enterprises not dependent on public funds are excluded.

[10] Department of Development Planning, March 2000, The Availability of Economic and Social Statistics for Sustainable Human Development in Solomon Islands, Honiara.

[11] Asian Development Bank, August 1998, Solomon Islands 1997 Economic Report.

[12] Asian Development Bank, Solomon Islands 1997 Economic Report.

[13] Asian Development Bank, Solomon Islands 1997 Economic Report.

[14] All other privately administered primary schools now receive some financial aid from the Government.

[15] Up to the end of 1999 two secondary schools operated by the Seventh Day Adventist Church received no form of assistance from the State.

[16] Some community high schools in the rural areas have resorted to providing boarding facilities because of the long distances some pupils have to walk to and from school.

[17] Solomon Islands Association of Rural Training Centres Members Information, 19 September 2000.

[18] The number of candidates was lower because Guadalcanal Province, due to the ethnic tension, entered only 705 compared with 1,560 in 1998. Standard 6 enrolments in Central Province and Honiara City were also down by 7 and 93 pupils, respectively.